

Before the State of South Carolina
Department of Insurance

In the matter of:)	Consent Order Reinstating
)	Insurance Adjuster's License
)	And Imposing Administrative Fine
Kip A. DeKalb)	
)	
10805 Captain Hook Circle)	File Number: 100479
Thonotosassa, Florida 33592-8381.)	
_____)	

This matter now comes before me pursuant to an agreement entered into between the State of South Carolina Department of Insurance and Kip A. DeKalb (DeKalb), a formerly licensed non-resident insurance adjuster.

On September 1, 1999, I issued my "Order Revoking Insurance Adjuster's License" regarding the license of DeKalb to transact business as a licensed insurance adjuster within the State of South Carolina. In summary, that Order found, as ultimate fact, that, while licensed to do business as a non-resident insurance adjuster within the State of South Carolina, DeKalb failed to notify the Department of a change of his residential address in violation of S.C. Code Ann. § 38-47-15 (Supp. 1998). S.C. Code Ann. § 38-47-70 (Supp. 1998) states, in pertinent part, that the Director of Insurance may revoke an adjuster's license when he determines "after investigation that there has been a violation of this title by an adjuster". S.C. Code Ann. § 38-47-15 (Supp. 1998) requires that an insurance adjuster shall notify the Department within thirty (30) days of any change in [business or residential] addresses. DeKalb was notified of his right to request a public hearing, but he did not contact the Department in writing as required. An Affidavit of Default was filed by counsel for the Department and I, thereafter, issued my "Order Revoking Insurance Adjuster's License".

By a telephone call to the Department on December 22, 1999, DeKalb notified the Department that he wanted to keep his South Carolina adjuster's license. DeKalb and the Department agreed, rather than proceeding forward towards an administrative hearing, to submit the matter to me, along with their specific recommendation, for my summary decision based solely upon the record thus far. That recommendation was that DeKalb would timely submit a negotiated administrative penalty in the amount of five hundred (\$500.00) dollars and that his non-resident insurance adjuster's license would be reinstated.

I hereby invoke the discretionary authority given to me and impose against DeKalb an administrative fine in the total amount of \$500. *See* S.C. Code Ann. Section 38-2-10 (Supp. 1998). That fine must be paid within ten days of the date of my signature upon this Consent Order.

 Kip A. DeKalb

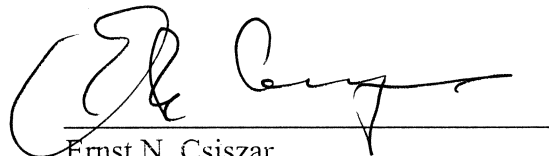
This administrative penalty has been reached by the parties as a result of negotiation and compromise, and it is made in light of this being DeKalb's first violation of the state's insurance laws and in consideration of DeKalb's assurance that in the future he will comply with the state's insurance laws, particularly that of timely notifying the Department of any changes in his business or personal addresses.

By his signature upon this Consent Order, DeKalb acknowledges that he understands that this administrative order is a public record subject to the disclosure requirements of the State of South Carolina's *Freedom of Information Act*, S.C. Code Ann. Section 30-4-10, *et seq.* (1991 and Supp. 1998). Nothing contained within this administrative order should be construed to limit, or to deprive any person of, any private right of action under the law. Nothing contained within this administrative order should be construed to limit, in any manner, the criminal jurisdiction of any law enforcement officer or judicial officer. Nothing contained within this administrative order should be construed to limit the statutory duty, pursuant to S.C. Code Ann. Section 38-3-110 (4) (Supp. 1998), of the Director of Insurance, exercised either directly or through the Department of Insurance, to "report to the Attorney General or other appropriate law enforcement officials criminal violations of the laws relative to the business of insurance or the provisions of this title which he considers necessary to report."

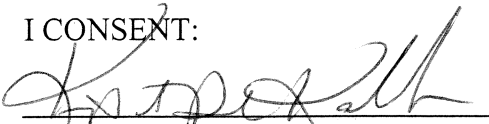
It is, therefore, ordered that DeKalb shall, within ten days of the date of my signature on this Consent Order, pay through the South Carolina Department of Insurance an administrative fine in the total amount of \$500, and that DeKalb's license to do business as a non-resident insurance adjuster within the State of South Carolina is hereby reinstated.

It is further ordered that a copy of this Consent Order Reinstating Insurance Adjuster's License and Imposing Administrative Fine be immediately transmitted to the National Association of Insurance Commissioners for distribution to its member states. This Consent Order becomes effective as of the date of my signature below. It supersedes and replaces the administrative order issued by me on September 1, 1999 against DeKalb for violating S.C. Code Ann. § 38-47-15.

January 26, 2000
Columbia, South Carolina


Ernst N. Csiszar
Director

I CONSENT:


Kip A. DeKalb
10805 Captain Hook Circle
Thonotosassa, Florida 33592-8381

Dated this 20 day of January, ~~1999~~ 2000